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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

ALLEN DAVIS and CAROL DAVIS,

Plaintiffs,

v.

UNITED STATES OF AMERICA,

Defendant.

Case No. 11-cv-4316-EDL

**STIPULATION TO (1) EXTEND TIME
TO ANSWER OR OTHERWISE PLEAD,
AND (2) CONTINUE THE CASE
MANAGEMENT CONFERENCE; AND
~~PROPOSED~~ ORDER**

The parties stipulate as follows:

1. Plaintiffs Allen and Carol Davis filed this case on August 31, 2011, which seeks a refund of federal taxes for specified years.
2. Plaintiffs served the defendant, the United States, on September 2, 2011, and an answer or responsive pleading is due on or before November 1, 2011.
3. Counsel for the United States has requested, but has not yet received the Internal Revenue Service administrative file, a letter referring this case for defense, and other documents necessary to file a pleading in this matter. Those documents should be sent so that a responsive pleading can be filed no later than December 2, 2011. Based on

Stipulation to Extend Time to Answer
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these representations, the parties agree that defendant shall have until December 2, 2011, to file an answer or pleading in response to plaintiffs' complaint.

4. The parties further stipulate to continue the Case Management Conference from December 13, 2011, to January 31, 2012, at 10:00 a.m.

Respectfully submitted,

MELINDA HAAG
United States Attorney

Dated: October 31, 2011

/s/Thomas M. Newman
THOMAS M. NEWMAN
Assistant United States Attorney
Tax Division

Dated: October 31, 2011

/s/
KENNETH G. HAUSMAN (No. 57252)
HOWARD RICE NEMEROVSKI CANADY
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Three Embarcadero Center, 7th Floor
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ORDER

Pursuant to the parties' stipulation, IT IS SO ORDERED.

Dated: November 2, 2011


ELIZABETH D. LAPORTE
United States Magistrate Judge